THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :9061 of 2007

DATED:26-04-2007

Alapati Ramesh Kumar.

..... PETITIONER

AND

The Joint Collector
and Licensing Authority,
Guntur & another.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the inaction of the respondents in not disposing of the application pending before 2nd respondent, as illegal, null, void, and arbitrary.

3. It is the case of the petitioner that he is 50% share holder in respect of 'Murthymahal' theatre, situated at Ponnur town along with his brother A.V.N.Radhakrishna Murthy who is having another 50% share. It is stated that the said Radhakrishnamurthy sold away his share but the petitioner was not paid any amount in respect of his share, but however that is not the controversy in this Writ Petition. The only controversy in this Writ Petition is that with regard to the renewal of the licence to the said 'Murthymahal' theatre the petitioner made certain objections and in that regard the 2nd respondent-Revenue Divisional Officer, Tenali, Guntur District got issued a notice through the Tahsildar, Ponnur in Rc.No.168/2004/B, dated 02-04-2007, to appear on

03-04-2007 before the 2nd respondent along with the concerned particulars and the relevant records at 4.00 p.m., It is stated that pursuant to the said notice, dated

02-04-2007, petitioner appeared and made detailed objections and representation on 04-04-2007 but the 2nd respondent is not disposing of the said matter with regard to the renewal of the licence.

4. Having regard to the facts and circumstances of the case, 2nd respondent is directed to consider and dispose of the representation of the petitioner after hearing all the concerned in accordance with law before the next renewal of licence is made.

5. Accordingly, the Writ Petition is disposed of. No order as costs.

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V.ESWARAIAH,J

26th April, 2007.

Note:

Furnish C.C. of the order
within two days

B/o

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